

SIKKIM

GOVERNMENT



GAZETTE

Gangtok

Sunday 10th May, 2020

No. 94

LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM
TASHILING SECRETARIAT, BLOCK - B, GANGTOK.

No. 01/LR & DMD

Date: 10/05/2020

NOTIFICATION

In exercise of the powers conferred by section 64 of the Disaster management Act, 2005 (53 of 2005), the State Executive Committee hereby makes the following regulations as preventive measure for containment of COVID-19 in the State of Sikkim, namely:-

**Short title, extent
and commencement**

1. (1) These regulations may be called the Sikkim Public Health and Safety (COVID-19) Regulations, 2020.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force at once.

Definition

2. (a) 'Act' means the Disaster Management Act, 2005.
- (b) 'Competent Authority' means authorities of the Central Government, the State Government and the Local Authorities exercising powers under any law for the purpose of prevention and containment of COVID-19.
- (c) 'Guideline' means any guideline issued by any authority, namely, Central Government, State Government and the Local Authorities, under any law for the health and safety in respect of COVID-19.
- (d) 'Notification' means notification issued by any authority, namely, Central Government, State Government and the Local Authorities, under any law for the health and safety in respect of COVID-19.
- (e) 'Order' means an order issued for public health and safety by the competent authorities under the Act.

**Restrictions
and
Offences**

- (f) 'State Executive Committee' shall have the same meaning as defined under the Act.
3. (1) It shall be compulsory to wear face cover or mask in all public places and work places.
- (2) All persons in charge of public places, commercial establishments and transport (whether commercial or otherwise) shall ensure social distancing as per the guidelines issued by the Competent Authority.
- (3) Violation by any member of public of any guidelines /order /Notification /advisory issued by the Competent Authority in respect of Social Distancing shall be an offence.
- (4) Spitting in public places shall be strictly prohibited.

Penalty

4. (1) Any person found contravening the provisions contained in regulation 3 shall be liable to pay a fine of Rs.300 (rupees three hundred) only.
- (2) For the second offence, the fine shall be three times the amount specified in sub-regulation (1).
- (3) Repeated offence by the same offender or failure to pay the fine shall be deemed to be an offence within the meaning of clause (b) of sub-section (1) of section 51 of the Disaster Management Act, 2005 (53 of 2005) and shall be dealt with accordingly.
- (4) The authorised officials shall issue an acknowledgment of fine so realised under these regulations in the format as appended at Form- A of this regulation.

Authorised officers

5. (1) The following authorities shall be competent to enforce the provisions of these regulations:-
- (i) The Relief Commissioner or any officer authorised by him;
- (ii) The District Magistrate, Additional District Magistrate and the Sub-Divisional Magistrate within their respective jurisdiction;
- (iii) Block Development Officers within their respective jurisdictions;
- (iv) An officer of Gangtok Municipal Corporation not below the rank of Bazar Inspector;
- (v) Municipal Executive Officer of all Nagar Panchayats within their respective jurisdictions;

- (vi) A Police Officer not below the rank of Sub-Inspector of Police within his jurisdiction; or
- (vii) Any other officer authorised by the State Government from time to time.

Miscellaneous

- 6. (1) Fines collected in exercise of powers under these regulations shall be credited to the relevant account head pertaining to Disaster Management. (0029 Land Revenue 800 Other Receipts)
 - (2) The authorised officers shall be responsible for keeping proper account of the fines collected under these regulations and deposit the same in the relevant head of account periodically. Further, they shall be responsible for submitting the account details to the concerned District Magistrate, who shall compile the same and shall submit the statement of account to the Relief Commissioner periodically.
7. These regulations shall remain in force till the COVID-19 crisis exists or till further order.